



PATENT
Customer No. 22,852
Attorney Docket No. 06028.0037-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)

Frédéric SIMONET et al.)

Application No.: 10/728,846)

Filed: December 8, 2003)

For: OXIDATION DYE COMPOSITION FOR)
KERATIN FIBERS, COMPRISING AT)
LEAST ONE OXIDATION DYE, AT LEAST)
ONE ASSOCIATIVE POLYMER, AND AT)
LEAST ONE NONIONIC CELLULOSE-)
BASED COMPOUND NOT COMPRISING)
A C₈-C₃₀ FATTY CHAIN, AND AT LEAST)
ONE CATIONIC POLYMER WITH A)
CHARGE DENSITY OF GREATER THAN)
1 MEQ/G AND NOT COMPRISING A C₈-)
C₃₀ FATTY CHAIN)

Group Art Unit: 1751

Examiner: E. Elhilo

Confirmation No. 9233

05/11/2006 JADD01 00000027 10728846

02 FC:1806

180.00 OP

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants bring to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by Section 1.17(p).

Copies of the listed foreign and non-patent literature documents are attached.

Copies of the U.S. patents and U.S. patent application publications are not enclosed.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

With respect to the non-English language documents, Applicants submit the following remarks:

1. **EP 0 080 976** - An abstract of the disclosure of this document can be found in the English language Derwent submitted herewith.
2. **EP 0 884 344** - An abstract of the disclosure of this document can be found in the English language Derwent submitted herewith.
3. **EP 0 959 090** - This document is believed to be related to U.S. Patent Application Publication No. 2001/0003776 and U.S. Patent No. 6,313,260.
4. **EP 0 959 091** - This document is believed to be related to U.S. Patent Application Publication No. 2002/0119171.
5. **EP 0 959 094** - This document is believed to be related to U.S. Patent No. 6,287,578.
6. **EP 1 090 623** - This document is believed to be related to U.S. Patent No. 6,562,772.
7. **FR 1 400 366** - This document is believed to be related to Great Britain Patent No. GB 1,021,400.
8. **FR 1 583 363** - This document is believed to be related to U.S. Patent No. 3,632,559.

9. **FR 2 077 143** - This document is believed to be related to Great Britain
Patent No. GB 1,331,819.

10. **FR 2 080 759** - This document is believed to be related to Great Britain
Patent No. GB 1,347,051.

11. **FR 2 137 684** - This document is believed to be related to U.S. Patent
Nos. 3,879,376, 3,953,608, and 4,031,025.

12. **FR 2 162 025** - This document is believed to be related to U.S. Patent
No. 3,917,817.

13. **FR 2 190 406** - This document is believed to be related to U.S. Patent
Nos. 3,912,808, 3,986,825, and 4,027,008.

14. **FR 2 252 840** - This document is believed to be related to U.S. Patent
No. 4,172,887.

15. **FR 2 270 846** - This document is believed to be related to U.S. Patent
Nos. 4,217,914, 4,422,853, 4,948,579, and 5,196,189.

16. **FR 2 280 361** - This document is believed to be related to U.S. Patent
No. 4,013,787.

17. **FR 2 316 271** - This document is believed to be related to U.S. Patent
Nos. 4,197,865, 4,381,919, and 4,608,250.

18. **FR 2 320 330** - This document is believed to be related to Great Britain
Patent No. GB 1,479,786.

19. **FR 2 336 434** - This document is believed to be related to Great Britain
Patent No. GB 1,546,809.

20. **FR 2 368 508** - This document is believed to be related to U.S. Patent Nos. 4,189,468, and 4,277,581.

21. **FR 2 383 660** - This document is believed to be related to U.S. Patent Nos. 4,240,450, 4,445,521, 4,719,099, and 5,009,880.

22. **FR 2 393 573** - This document is believed to be related to U.S. Patent Nos. 4,165,367, and 4,223,009.

23. **FR 2 413 907** - This document is believed to be related to U.S. Patent No. 4,349,532.

24. **FR 2 470 596** - This document is believed to be related to U.S. Patent Nos. 4,996,059, and 5,958,392.

25. **FR 2 505 348** - This document is believed to be related to U.S. Patent No. 4,761,273.

26. **FR 2 519 863** - This document is believed to be related to U.S. Patent Nos. 5,089,252, and 5,139,037.

27. **FR 2 542 997** - This document is believed to be related to U.S. Patent No. 4,591,610.

28. **FR 2 598 611** - This document is believed to be related to U.S. Patent No. 4,839,166.

29. **FR 2 733 749** - This document is believed to be related to U.S. Patent Nos. 6,099,592, 6,338,741, 6,645,258 and U.S. Patent Application Publication Nos. 2002/0050013, and US 2003/0019051.

30. **FR 2 750 048** - This document is believed to be related to U.S. Patent No. 6,099,593.

31. **FR 2 802 089** - This document is believed to be related to U.S. Patent No. 6,800,098.

32. **FR 2 811 993** - This document is believed to be related to U.S. Patent Publication Nos. 2003/0124079, and 2004/0141943.

33. **FR 2 816 207** - This document is believed to be related to U.S. Patent Application Publication No. US 2004/025266.

34. **FR 2 817 466** - This document is believed to be related to U.S. Patent Application Publication No. US 2004/049861.

35. **FR 2 817 467** - This document is believed to be related to U.S. Patent Application Publication No. US 2004/060126.

36. **FR 2 820 032** - This document is believed to be related to U.S. Patent Application Publication No. US 2004/205901.

37. **DE 2 359 399** - This document is believed to be related to U.S. Patent Nos. 4,003,699, and RE 30,199.

38. **DE 3 843 892** - This document is believed to be related to U.S. Patent No. 5,061,289.

39. **DE 4 133 957** - This document is believed to be related to U.S. Patent No. 5,380,340.

40. **DE 1 954 3988** - This document is believed to be related to U.S. Patent No. 5,766,576.

41. **JP 2-19576** - It is believed that Japanese Patent Application No. 88-169571 resulted in JP 2-19576 and JP 2526099 B2, an English language Derwent Abstract of which are submitted herewith.

42. **WO 94/08969** - This document is believed to be related to U.S. Patent No. 5,663,366.

43. **WO 94/08970** - This document is believed to be related to U.S. Patent No. 5,534,267.

44. **WO 96/15765** - This document is believed to be related to U.S. Patent No. 6,284,003.

45. **French Search Report for FR 02/15469** - This is the Search Report for French Patent Application No. 02/15469, which is the French Priority Application for U.S. Application No. 10/728,846 (the present application).

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Examiner the relevant facts and law regarding the appropriate status of such documents.

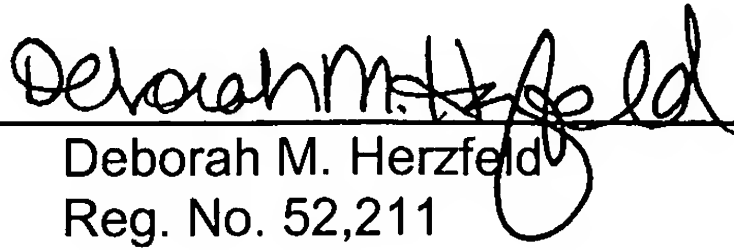
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please
charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: May 10, 2006

By: 
Deborah M. Herzfeld
Reg. No. 52,211

Complete if Known

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

1

of

6

Application Number

10/728,846

Filing Date

December 8, 2003

First Named Inventor

Frédéric SIMONET et al

Art Unit

1751

Examiner Name

E. Elhilo

Attorney Docket Number

06028.0037-00

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

Examiner Initials	Cite No. ¹	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	1	US-2,261,002	10-28-1941	Ritter	
	2	US-2,271,378	01-27-1942	Searle	
	3	US-2,273,780	02-17-1942	Dittmar	
	4	US-2,375,853	05-15-1945	Kirby et al.	
	5	US-2,388,614	11-06-1945	Kirby et al.	
	6	US-2,454,547	11-23-1948	Bock et al.	
	7	US-2,528,378	10-31-1950	Mannheimer	
	8	US-2,781,354	02-12-1957	Mannheimer	
	9	US-2,961,347	11-22-1960	Floyd	
	10	US-3,206,462	09-14-1965	McCarty	
	11	US-3,227,615	01-04-1966	Korden	
	12	US-3,632,559	01-04-1972	Basel et al.	
	13	US-3,836,537	09-17-1974	Boerwinkle et al.	
	14	US-3,874,870	04-01-1975	Green et al.	
	15	US-3,879,376	04-22-1975	Vanlerberghe et al.	
	16	US-3,912,808	10-14-1978	Sokol	
	17	US-3,915,921	10-28-1975	Schlatzer Jr.	
	18	US-3,917,817	11-04-1975	Vanlerberghe et al.	
	19	US-3,929,990	12-30-1975	Green et al.	
	20	US-3,953,608	04-27-1976	Vanlerberghe et al.	
	21	US-3,966,904	06-29-1976	Green et al.	
	22	US-3,986,825	10-19-1976	Sokol	
	23	US-4,001,432	01-04-1977	Green et al.	
	24	US-4,003,699	01-18-1977	Rose et al.	
	25	US-4,005,193	01-25-1977	Green et al.	
	26	US-4,013,787	03-22-1977	Vanlerberghe et al.	
	27	US-4,025,617	05-24-1977	Green et al.	
	28	US-4,025,627	05-24-1977	Green et al.	
	29	US-4,025,653	05-24-1977	Green et al.	

Examiner
SignatureDate
Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<p>IDS Form PTO/SB/08: Substitute for form 1449A/PTO</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p>(Use as many sheets as necessary)</p>				Complete if Known	
				Application Number	10/728,846
				Filing Date	December 8, 2003
				First Named Inventor	Frédéric SIMONET et al
				Art Unit	1751
				Examiner Name	E. Elhilo
Sheet	2	of	6	Attorney Docket Number	06028.0037-00

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
	30	US-4,026,945	05-31-1977	Green et al.,	
	31	US-4,027,008	05-31-1977	Sokol	
	32	US-4,027,020	05-31-1977	Green et al.	
	33	US-4,031,025	06-21-1977	Vanlerberghe et al.	
	34	US-4,157,388	06-05-1979	Christiansen	
	35	US-4,165,367	08-21-1979	Chakrabarti	
	36	US-4,172,887	10-30-1979	Vanlerberghe et al.	
	37	US-RE 30,199	01-29-1980	Rose et al.	
	38	US-4,189,468	02-19-1980	Vanlerberghe et al.	
	39	US-4,197,865	04-15-1980	Jacquet et al.	
	40	US-4,217,914	08-19-1980	Jacquet et al.	
	41	US-4,223,009	09-16-1980	Chakrabarti	
	42	US-4,240,450	12-23-1980	Grollier et al.	
	43	US-4,277,581	07-07-1981	Vanlerberghe et al.	
	44	US-4,349,532	09-14-1982	Vanlerberghe et al.	
	45	US-4,381,919	05-03-1983	Jacquet et al.	
	46	US-4,390,689	06-28-1983	Jacquet et al.	
	47	US-4,422,853	12-27-1983	Jacquet et al.	
	48	US-4,445,521	05-01-1984	Grollier et al.	
	49	US-4,509,949	04-09-1985	Huang et al.	
	50	US-4,591,610	05-27-1986	Grollier	
	51	US-4,608,250	08-26-1986	Jacquet et al.	
	52	US-4,702,906	10-27-1987	Jacquet et al.	
	53	US-4,719,099	01-12-1988	Grollier et al.	
	54	US-4,719,282	01-12-1988	Nadolsky et al.	
	55	US-4,761,273	08-02-1988	Grollier et al.	
	56	US-4,839,166	06-13-1989	Grollier et al.	
	57	US-4,948,579	08-14-1990	Jacquet et al.	
	58	US-4,996,059	02-26-1991	Grollier et al.	
	59	US-5,009,880	04-23-1991	Grollier et al.	
	60	US-5,061,289	10-29-1991	Clausen et al.	

Examiner Signature		Date Considered	
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Sheet	3	of	6	Attorney Docket Number	06028.0037-00

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
	61	US-5,089,252	02-18-1992	Grollier et al.	
	62	US-5,139,037	08-18-1992	Grollier et al.	
	63	US-5,196,189	03-23-1993	Jacquet et al.	
	64	US-5,380,340	01-10-1995	Neunhoeffer et al.	
	65	US-5,534,267	07-09-1996	Neunhoeffer et al.	
	66	US 5,663,366	09-02-1997	Neunhoeffer et al.	
	67	US-5,766,576	06-16-1998	Löwe et al.	
	68	US-5,958,392	09-28-1999	Grollier et al.	
	69	US-6,099,592	08-08-2000	Vidal et al.	
	70	US-6,099,593	08-08-2000	Terranova et al.	
	71	US-6,156,076	12-05-2000	Casperson et al.	
	72	US 2001/0003776	06-14-2001	Gruning et al.	
	73	US-6,284,003	09-04-2001	Rose et al.	
	74	US-6,287,578	09-11-2001	Duetsch et al.	
	75	US 2001/0023515	09-27-2001	Cottard et al.	
	76	US 6,313,260	11-06-2001	Gruning et al.	
	77	US-6,338,741	01-15-2002	Vidal et al.	
	78	US-2002/0046431	04-25-2002	Laurent et al.	
	79	US-2002/0050013	05-02-2002	Vidal et al.	
	80	US-2002/0119171	08-29-2002	Gruning et al.	
	81	US 2003/0019051	01-30-2003	Vidal et al.	
	82	US-6,562,772	05-13-2003	Maurin et al.	
	83	US-2003/0124079 A1	07-03-2003	Mougin et al.	
	84	US-6,645,258	11-11-2003	Vidal et al.	
	85	US-2004/025266	02-12-2004	Cottard et al.	
	86	US-2004/049861	03-18-2004	Cottard et al.	
	87	US 2004/060126	04-01-2004	Cottard et al.	
	88	US-2004/0141943 A1	07-22-2004	Mougin et al.	
	89	US-6,800,098	10-05-2004	Allard et al.	
	90	US-2004/205901	10-21-2004	Cottard et al.	

Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.

Examiner Signature		Date Considered	
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Sheet	4	of	6	Attorney Docket Number	06028.0037-00

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	91	EP 0 080 976	06-08-1983	Ciba-Geigy		Abstract
	92	EP-A-122 324	10-24-1984	Miranol Inc.		
	93	EP 0 173 109	03-05-1986	DeSoto Inc.		
	94	EP 0 216 479	04-01-1987	Allied Colloids Limited		
	95	EP 0 337 354	10-18-1989	Kao Corporation		
	96	EP 0 767 191	04-09-1997	Mitsui Chemicals Inc.		
	97	EP 0 824 914	02-25-1998	National Starch & Chem. Investment Holding Corp.		
	98	EP 0 825 200	02-25-1998	National Starch & Chem. Investment Holding Corp.		
	99	EP 0 884 344	12-16-1998	Th. Goldschmidt AG		Abstract
	100	EP 0 959 090	11-24-1999	Th. Goldschmidt AG		
	101	EP 0 959 091	11-24-1999	Th. Goldschmidt AG		
	102	EP 0 959 094	11-24-1999	Th. Goldschmidt AG		
	103	EP 1 090 623	04-11-2001	L'Oréal		
	104	FR 1 400 366	05-28-1965	L'Oréal		
	105	FR 1 583 363	10-24-1969	SANDOZ S.A.		
	106	FR 2 077 143	10-15-1971	GAF Corp.		
	107	FR 2 080 759	11-19-1971	The Gillette Co.		
	108	FR 2 137 684	12-29-1972	L'Oréal		
	109	FR 2 162 025	07-13-1973	L'Oréal		
	110	FR 2 190 406	03-08-1974	The Gillette Co.		
	111	FR 2 252 840	06-27-1975	L'Oréal		
	112	FR 2 270 846	12-12-1975	L'Oréal		
	113	FR 2 280 361	02-27-1976	L'Oréal		
	114	FR 2 316 271	01-28-1977	L'Oréal		
	115	FR 2 320 330	03-04-1977	Calgon Corp.		
	116	FR 2 336 434	07-22-1977	Ciba Geigy AG		
	117	FR 2 368 508	05-19-1978	L'Oréal		

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Sheet	5	of	6	Attorney Docket Number		06028.0037-00	

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	118	FR 2 383 660	10-13-1978	L'Oréal		
	119	FR 2 393 573	01-05-1979	GAF Corp.		
	120	FR 2 413 907	08-03-1979	L'Oréal		
	121	FR 2 470 596	06-12-1981	L'Oréal		
	122	FR 2 505 348	11-12-1982	L'Oréal		
	123	FR 2 519 863	07-22-1983	L'Oréal		
	124	FR 2 542 997	09-28-1984	L'Oréal		
	125	FR 2 598 611	11-20-1987	L'Oréal		
	126	FR 2 733 749	11-08-1996	L'Oréal		
	127	FR 2 750 048	12-26-1997	L'Oréal		
	128	FR 2 802 089	06-15-2001	L'Oréal		
	129	FR 2 811 993	01-25-2002	L'Oréal		
	130	FR 2 816 207	05-10-2002	L'Oréal		
	131	FR 2 817 466	06-07-2002	L'Oréal		
	132	FR 2 817 467	06-07-2002	L'Oréal		
	133	FR 2 820 032	08-02-2002	L'Oréal		
	134	DE 23 59 399	06-12-1975	Henkel & Cie G.M.B.H.		
	135	DE 38 43 892	06-28-1990	Wella AG		
	136	DE 41 33 957	04-15-1993	Wella AG		
	137	DE 195 43 988	05-28-1997	Wella AG		
	138	GB 1,021,400	03-02-1966	L'Oréal		
	139	GB 1 026 978	04-20-1966	Schwarzkopf Verwaltung G.M.B.H.		
	140	GB 1 153 196	05-29-1969	Schwarzkopf Verwaltung G.M.B.H.		
	141	GB 1,331,819	09-26-1973	GAF Corporation.		
	142	GB 1,347,051	02-13-1974	The Gillette Company		
	143	GB 1,479,786	07-13-1977	Calgon Corporation		
	144	GB 1,546,809	05-31-1979	Ciba-Geigy AG		
	145	JP 2-19576	01-23-1990	KAO Corp.		Abstract
	146	JP 2526099	11-18-1996	KAO Corp.		Abstract
	147	WO 94/08969	04-28-1994	Wella AG		

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				Examiner Name	E. Elhilo
Sheet	6	of	6	Attorney Docket Number	06028.0037-00

FOREIGN PATENT DOCUMENTS					
	148	WO 94/08970	04-28-1994	Wella AG	
	149	WO 96/15765	05-30-1996	Henkel KGAA	
	150	WO 98/44012	10-08-1998	Calgon Corp.	
	151	WO 00/68282	11-16-2000	ISP Investments Inc.	

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁶
	152	G. FONNUM et al., "Associative Thickeners. Part I: Synthesis, Rheology and Aggregation Behavior", Colloid & Polymer Science, 271: 380-389 (1993).	
	153	M.R. Porter, "Handbook of Surfactants," Blackie & Son (Glasgow and London), pgs. 116-178 (1991)/	
	154	French Search Report for FR 02/15469, the French priority application for U.S. Application No. 10/728,846 (the present application) dated June 26, 2003, Examiner J.M. Yon.	
	155	English language Derwent abstract of EP 0 080 976.	
	156	English language Derwent abstract of EP 0 884 344.	
	157	English language Derwent abstract of JP 2-19576.	

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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